

MINUTES
KITTY HAWK TOWN COUNCIL
Monday, August 3, 2020
Kitty Hawk Town Hall, 6 PM

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Approval of Agenda
4. Public Comment
5. Consent Agenda
 - a.) Approval of June 8, 2020 and July 7, 2020 Council Minutes
 - b.) Interlocal Agreement with Dare County for Debris Removal Monitoring Contract
6. Items Removed from the Consent Agenda
7. Planning
 - a.) Schedule Public Hearing: Sec. 42-1, Definitions & Sec 12-141, Land Disturbance. The applicant has requested a text amendment that would measure maximum building height from finished grade and place a limit on the amount of fill permitted on a lot. It is suggested the hearing be held at the Tuesday, September 8, 2020 council meeting.
8. New Business
 - a.) Mayor's Update on the 2020 Census for the Town of Kitty Hawk
9. Reports/General Comments from Town Manager
10. Reports/General Comments from Town Attorney
11. Reports/General Comments from Town Council
12. Public Comment
13. Closed Session:
 - a.) NCGS 143-318.11(a)(1) Approval of the September 16, 2019 and June 1, 2020 Closed Session Minutes
 - b.) NCGS 143-318.11(a)(6) Town Manager Performance Evaluation
14. Return to Regular Session
15. Adjourn

COUNCILMEMBERS PRESENT:

Mayor Gary Perry, Mayor Pro Tem Craig Garriss, Councilman David Hines, Councilwoman Lynne McClean and Councilman Jeff Pruitt

STAFF MEMBERS PRESENT:

Town Manager Andy Stewart, Town Clerk Lynn Morris, Town Attorney Casey Varnell, Police Detective Justin Langley and Public Works Director Willie Midgett

This meeting was live streamed on YouTube and could be listened to by telephone.

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1. CALL TO ORDER

Mayor Perry called this meeting to order at 6:00 p.m. and welcomed everyone.

2. MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Following a moment of silence, the Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA

MPT Garriss made a motion to approve the agenda. It was seconded by Councilwoman McClean and passed unanimously, 5-0.

4. PUBLIC COMMENT

Mayor Perry read the following email into the record: *Good evening my name is Blaine Rumford, 104 Harbour Bay Dr. in Kitty Hawk. I saw your wonderful video of the renovation for the Bath House in Kitty Hawk. It looks great. When I heard that a renovation was going to be done to the structure, I was hoping the land to the side of the house would have been upgraded for added parking at the site. Any summer day all the spaces would be full by 10 a.m. so then we would have to find another spot to park. My wife and I are in our 60's now and it is getting harder to get around. My question is can that portion of land be utilized for additional parking and can that be accomplished. I would think 12 spaces or more could be added comfortably.*

Perry: *Blaine the answer is no because that is our drain field. The health department and practicality does not allow parking on drain fields. So, we cannot expand. Every square inch of that Bath House is either being used for parking, Bath House or drain field. A few years ago we asked the Post Office to let us use some of their land that is laying over there fallow. They were obstinate and would not allow us to do it. We wrote letters, had a plan laid out. We would do all the work and they would retain ownership. The parking lot would be permeable. They would not hear of it and the congressmen and senators were not any help.*

This was during the period, and we did not know it at the time, when the agency which runs those properties were also being called on the carpet for junkets to Las Vegas and making videos on taxpayer time. They were running loose with taxpayer money in some awful ways. They were obstinate so we did not get it done and unfortunately it is not going to happen.

We are looking at some other places. The Recreation Committee has some information I gave them and we are actively trying to upgrade the parking where we can. I hope that answers your question.

Garriss: *I agree with Mr. Rumford wholeheartedly. We have a parking problem in Kitty Hawk. We have beautiful beaches and we want people to come and there is nowhere to park, not only for visitors but for our citizens.*

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Perry: *Is there anyone on the telephone that has a comment? Someone answered no. At least I heard them and know this is working. Thank you. Let the record show no one spoke up.*

5. CONSENT AGENDA

a.) **Approval of June 8, 2020 and July 7, 2020 Council Minutes.** *(An approval of the consent agenda will approve these minutes.)*

b.) **Interlocal Agreement with Dare County for Debris Removal Monitoring Contract Use.** In the event of a natural disaster the county, upon activation of the contracts, shall include the town in debris removal discussion to include debris removal monitoring requirements. *(An approval of the consent agenda will approve this agreement.)*

Councilwoman McClean made a motion, seconded by Councilman Pruitt, to approve the consent agenda. It passed unanimously, 5-0.

6. ITEMS REMOVED FROM THE CONSENT AGENDA

No items were removed.

7. PLANNING

a.) **Schedule Public Hearing: Sec. 42-1, Definitions & Sec. 12-141, Land Disturbance. The applicant has requested a text amendment that would measure maximum building height from finished grade and place a limit on the amount of fill permitted on a lot. It is suggested the hearing be held at the Tuesday, September 8, 2020 council meeting.**

Perry: *This is to schedule a public hearing and has to do with height. Height has been a tricky issue in the Town of Kitty Hawk since its incorporation and even before that actually. I would like for you to pay attention. If you have comments please let us know and please ask for the information if you want it. Thank you.*

MPT Garriss made a motion to set a public hearing at the town council meeting on September 8, 2020 to consider the proposed text amendment to amend section 42-1 and 12-141 regarding maximum building height measurement and fill limitations. It was seconded by Councilwoman McClean and passed unanimously, 5-0.

8. NEW BUSINESS

a.) **Mayor's Update on the 2020 Census for the Town of Kitty Hawk**

2020 Census – Kitty Hawk, NC 7/29/20

- **Current 2020 Census reported response rate Kitty Hawk, NC (7/27/20) = 39.2%**
 - Some increase lately – about .6 percentage points increase over past couple of weeks.
 - Final 2010 Census response rate Kitty Hawk, NC = 51.2%.

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- Focus is counting year-round residents. Currently estimated approximately 87% year-round residents have responded, but this is based on estimated # of year-round households which may not be accurate.
- **Current 2020 Census reported response rate Dare County, NC (7/27/20) = 34.4%**
 - Rank = 96 (lowest) out of 100 counties.
 - Final 2010 Census response rate Dare County, NC = 45.6%.
- **Nonresponse Follow-up (NRFU) starts as early as 8/11/20**
 - Less than one month to increase self-response rates before we start knocking on doors!
 - 2020 Census ends 10/31/20. Risk of undercount could negatively impact funding/resources for next decade.
- **What can we do to increase self-response rates in Kitty Hawk, NC over the next month?**
 - Utility bills, social media, website/emails/texts, robocalls, fliers, major employers, apartments, churches, food distribution sites, COVID-19 testing sites, Census assistance sites, incentives.

Perry: *I was called by the person heading this up for our area and he had some things that I want to bring to your attention. (The above information was shown on the monitors in the Smith Room.) Everything up there on the screen is in percentages and you must be careful interpreting it. This is a snapshot and it really does not mean much right now except it looks like we are under responding to the census in Dare County in general and Kitty Hawk in particular. I do not think that is quite true and believe the percentages look worse than they are because they are being averaged over a larger population.*

It is important for every one of us to make sure we respond. It is worth approximately \$2,000 per person in state distributions over the next 10 years. It is also important for redistricting, whether we add or subtract senators, congressmen, and things of that nature but mostly in the federal area. Congress senate seats are determined by this. It is important for you to have a role in that.

If someone in your family does not know how to use a computer or does not feel comfortable using the telephone maybe a family member can help them. I am sure if you were to call the town hall somebody there would help you fill out the form. This year it is done mostly online but you can do it by phone. They are not sending out sheets of paper like the last time which took a little while to fill in. This does not take very long to complete.

The last item on the slide is what can we do to increase self-response rates in Kitty Hawk over the next month. I am against robocalls. Fliers are being distributed, social media, website, emails, texts. If somebody is not into the social media aspect, we need to reach them by a different way. Someone in the family may need to help an older person. As you go to church that is a possibility. Another one is homeowners' associations.

I am leaving you with this. You need to respond if you have not. They are going to start knocking on doors the middle of this month. Help yourself, help your community and help your state.

Garriss: *Well said.*

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9. TOWN MANAGER

Stewart: *The town is eligible and is going to receive approximately \$55,000 through HB 1023 which is the **Coronavirus Relief Funds**. The county has submitted for reimbursement and we can get reimbursement for our police department payroll. We have submitted our information to the county and once they receive the funds, we will get a check for about \$55,000 that is being divvied out by the State of North Carolina.*

*We have a storm approaching (**Tropical Storm/Hurricane Isaias**) and I know the mayor will probably talk about it a little. I was out last week and I appreciate his assistance with preparations.*

*We are still in the process of submitting for grant funding through the state Recreational Trails Program for the **connector bridge** at the Kitty Hawk Park. Councilwoman McClean has secured some petitions from residents that will be utilizing the trails and in support of the project. I have gotten letters of support from the hospital, school board, chamber of commerce and tourism board. It is a competitive grant. The grant is due in September and we will probably hear something towards the first of the year.*

Perry: *The money that is coming in. Is that in addition to our normal payroll for the police?*

Stewart: *It is payroll. We can submit our claims up to \$55,000 for payroll for March until December of this year. A couple of weeks will absorb the \$55,000 and we will be reimbursed from the state.*

Perry: *We do not have to pull anything out of what we had planned to set aside?*

Stewart: *It is part of the coronavirus relief package that the state has put together.*

Perry: *That is interesting. Thank you.*

10. TOWN ATTORNEY

Varnell: *Everybody stay safe during the storm.*

Perry: *And you are keeping us straight on the declarations of emergencies of which we have two separate ones now. Let us hope we do not have a third one.*

11. TOWN COUNCIL

Pruitt: *I want to give a shout out to the **Ocean Rescue**. I was on the beach several times back in June and they are very nice and friendly. Every time you cross over the dune, they say hello. They have had a busy year because of the shore break at the Black Pelican. Ocean Rescue Director*

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Yeatts is doing a great job. I was there one morning and before the lifeguards man the stand they are swimming and running, staying in shape.

*It looks like everybody back in the village is doing a pretty good job of moving their vehicles. Now is the time. If this **storm** jogs a little bit and comes up the sound we could have just as much water here as we did with Hurricane Michael, maybe more. The potential is there. Maybe, maybe not, but now is the time. In the morning it is going to be too late. Stay safe tonight.*

Garriss: *I know the town staff is well prepared and hopefully tomorrow morning we will find out if we are lucky. Let's hope and pray for a very peaceful evening. Thank you everybody.*

McClean: *I understand **beach equipment** is not being left on the beach anymore. Thanks to Ocean Rescue and their efforts on that. Stay safe everybody.*

Hines: *Everybody be safe. Thank you.*

Perry: *Public Works went out and made sure all the trash cans were pulled back on the beach road. I drove it and it looks good.*

*I want to thank our visitors and citizens that may have been leaving their **canopies** and those sorts of things out on the beach. You responded very well to taking them with you each evening and we appreciate it. It makes it safer for everybody and is less cluttered. Nobody is claiming a piece of ground on a public beach.*

*With regards to **flooding** we do not anticipate any real problems on the ocean side and between the highways, but I do anticipate flooding on the sound side. We have had southerly winds and the water is already high in the sound. It has been high for weeks and all the winds that are predicted will be from the southeast, then to the southwest and eventually west. It can only go up. There will be no down until the wind changes from the north. So, move your vehicles or whatever else you have, even lawnmowers. If they are left low, then you may incur a loss. I think people have learned a couple of lessons the hard and expensive way. If you do not have comprehensive insurance, then you do not get paid.*

12. PUBLIC COMMENT

There were no comments.

13. CLOSED SESSION

Mayor Perry made a motion to go into closed session per the following:

- a.) NCGS 143-318.11(a)(1) Approval of the September 16, 2019 and June 1, 2020 Closed Session Minutes**

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b.) NCGS 143-318.11(a)(6) Town Manager Review

Mayor Perry announced he does not anticipate any comments afterwards. This is housekeeping and personnel.

MPT Garriss seconded the motion. The motion was unanimously approved 5-0. Time was 6:18 p.m.

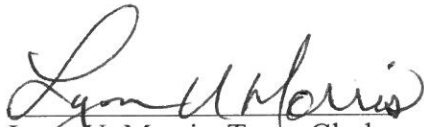
14. RETURN TO REGULAR SESSION

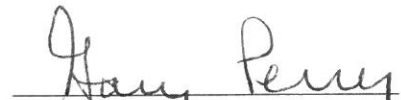
Mayor Perry made a motion to return to regular session. It was seconded by Councilwoman McClean and passed unanimously, 5-0. Time was 6:35 p.m.

15. ADJOURN

Mayor Perry made a motion to adjourn. It was seconded by MPT Garriss and the vote was unanimous, 5-0. Time was 6:37 p.m.

These minutes were approved at the September 8, 2020 council meeting.


Lynn U. Morris, Town Clerk


Gary L. Perry, Mayor